

THREE LAKES ZONING ADVISORY COMMITTEE
MINUTES OF REGULAR MEETING
MAY 6TH, 2010

MEETING WAS CALLED TO ORDER AT 3:35 PM.

A MOTION WAS MADE BY COTTINGHAM TO APPROVE THE AGENDA, SECONDED BY ROSS, APPROVED ALL AYES.

THOSE PRESENT WERE ED COTTINGHAM, NORRIS ROSS, TIM SHERRY, SCOTT SODER, TOWN CLERK-COURTNEY PETERSON, AND ONEIDA COUNTY PLANNING & ZONING REPRESENTATIVE-KARL JENNERICH.

A MOTION WAS MADE BY ROSS TO APPROVE THE MINUTES OF THE APRIL 1ST, 2010 REGULAR MEETING, SECONDED BY COTTINGHAM, AND APPROVED ALL AYES.

A MOTION WAS MADE BY ROSS TO APPROVE THE MINUTES OF THE FEB. 9TH, 2010 REGULAR MEETING, WHICH HADN'T BEEN DONE AT THE APRIL 1ST, 2010 MEETING. IT WAS SECONDED BY COTTINGHAM. IT PASSED ALL AYES. NOTE: TIM SHERRY WASN'T A MEMBER OF OUR COMMITTEE AT THAT TIME, SO HE ABSTAINED.

OUR COMMITTEE DISCUSSED THE TOPIC OF UTILITIES CROSSING TOWN OWNED PROPERTY IN GENERAL. IT WAS AGREED TO RECOMMEND TO THE PLAN COMMISSION:

- 1) HAVE THE TOWN'S LEGAL COUNCIL PREPARE AN EASEMENT DOCUMENT, OR USE A PRE-PRINTED FORM WITH FILL-IN-THE-BLANKS AREA, FOR ALL JOB DESCRIPTION INFO, IN A RECORDABLE FORM, FOR THE CONTRACTOR AND PROPERTY OWNERS TO COMPLETE & SIGN.
- 2) HAVE THE TOWN'S LEGAL COUNCIL DRAFT A "HOLD HARMLESS" AGREEMENT, ALSO IN FILL-IN-THE-BLANK FORM, TO ACCOMPANY THE EASEMENT WHICH PLACES ALL RESPONSIBILITY FOR INSTALLATION AND MAINTENANCE OF THE UTILITY ON THE PROPERTY OWNER AND CONTRACTOR.
- 3) HAVE A PROVISION IN THE EASEMENT THAT PLACES THE RESPONSIBILITY AND COST OF MOVING AND RECONNECTING THE UTILITY ON THE LANDOWNER SHOULD THE TOWN DECIDE TO CHANGE THEIR PROPERTY'S SHAPE OR CONTOURS.

- 4) MAKE THE PROCESS RELATIVELY STREAMLINED TO AVOID UNNECESSARY DELAYS. SUCH AS REQUIRING THE PERMISSION OF THE BOARD, BUT NOT A PUBLIC HEARING. GIVE THE CLERK THE AUTHORITY TO SIGN AND RECORD AN EASEMENT WITH DIRECTION FROM THE BOARD. AVOID HAVING TO PASS THESE DOCUMENTS FROM COMMITTEE TO COMMITTEE AS MUCH AS POSSIBLE. SEVERAL CONTRACTORS ARE USUALLY REQUIRED TO MAKE THEIR SCHEDULES COINCIDE AND DELAYS CAUSE MAJOR PROBLEMS.
- 5) THE PROJECT SHOULD BE UNDER THE DIRECTION OF THE TOWN SHOP FOREMAN OR A DESIGNEE. THE FOREMAN OR DESIGNEE SHOULD PERFORM AN ON-SITE INSPECTION OF THE SITE AND AND APPLICATION AND REPORT ANY CONCERNS TO THE CLERK BEFORE THE PERMIT IS ISSUED.
- 6) THE CONTRACTOR SHOULD BE PROPERLY INSURED FOR LIABILITY.
- 7) DIGGER'S HOTLINE SHOULD BE CONTACTED BY THE CONTRACTOR.

A DISCUSSION WAS HAD REGARDING THE REQUEST BY SHERRY PLUMBING TO DO A DIRECTIONAL BORE UNDER WHEELER ISLAND ROAD FOR THE EVANS FAMILY AT 7864 & 7865 WHEELER ISLAND ROAD, FOR A SEWER FORCE MAIN. A MOTION WAS MADE BY ROSS, SECONDED BY COTTINGHAM TO RECOMMEND APPROVAL TO THE PLAN COMMISSION, SUBJECT TO SHERRY PLUMBING RECEIVING A SANITARY PERMIT OR PERMISSION FROM ONEIDA COUNTY PLANNING & ZONING AND A SIGNED EASEMENT FROM THE TOWN.

A DISCUSSION WAS HAD REGARDING AN APPLICATION BY SIMAC PLUMBING TO DO A DIRECTIONAL BORE FOR A SANITARY FORCE MAIN UNDER TOWN ROAD X (HWY X) AT 8157 TOWN ROAD X, FOR THE JIM SCHMIDT FAMILY. THE UTILITY WOULD ALSO BE INSTALLED IN WETLANDS ON THE SCHMIDT PROPERTY. KARL JENNERICH SAID HE HAD NO PROBLEMS WITH THIS APPLICATION. A MOTION WAS MADE BY COTTINGHAM, SECONDED BY ROSS TO RECOMMEND APPROVAL TO THE PLAN COMMISSION. THIS PASSED ALL AYES.

PAGE 3

A DISCUSSION WAS HAD REGARDING WHETHER BUILDING PERMITS ISSUED BY THE COUNTY WITHIN OUR TOWN SHOULD HAVE A NOTICE, TO BE SIGNED BY THE APPLICANT, STATING THAT IF THEIR APPLICATION HAD INCORRECT MEASUREMENTS TO PROPERTY BOUNDARIES, THAT THE RESULT COULD POSSIBLY BE A DEMAND TO REMOVE OR TEAR DOWN THE STRUCTURE. IT WAS DECIDED NOT TO TAKE ANY ACTION ON THIS AT THIS TIME.

A DISCUSSION WAS HAD REGARDING A CONDITIONAL USE PERMIT APPLICATION BY WILLIAM & PATRICIA BONACK TO ADD A DRIVE THRU FEATURE TO THEIR EXISTING RESAURANT AT 6990 WINKLER RD. A MOTION WAS MADE BY ROSS, SECONDED BY SHERRY TO RECOMMEND APPROVAL TO THE PLAN COMMISSION. PASSED ALL AYES.

ROSS REPORTED THAT A SPECIAL COMMITTEE HAS BEEN ASSIGNED TO MAKE A PROPOSAL TO THE TOWN BOARD REGARDING THE "SLOW-NO WAKE" SITUATION ON THE THREE LAKES CHAIN OF LAKES. WE WILL TAKE NO ACTION AT THIS TIME.

THE COUNTY PLANNING & ZONING DEPARTMENT IS WORKING ON SIGNS & BANNER REGULATIONS WITH REGARD TO OUR TOWN'S REQUEST TO REGULATE THESE ISSUES. NO ACTION CAN BE TAKEN BY OUR COMMITTEE AT THIS TIME.

ROSS COMMENTED THAT THE ONEIDA COUNTY PLANNING & ZONING DEPARTMENT HAS DECIDED TO WRITE THE NEW SHORELAND PROTECTION ORDINANCES, TO BE IMPLIMENTED BY JANUARY 1ST, 2012. THERE WILL BE LISTENING SESSIONS HELD IN THREE LAKES ASKING FOR COMMENTS.

OPEN DISCUSSION.

IT WAS DECIDED, AFTER DISCUSSION, TO ASK THE TOWN CHAIRMAN FOR INSTRUCTIONS AS TO WHETHER OUR COMMITTEE SHOULD MAKE ANY RECOMMENDATIONS REGARDING A FLOODING AND GROUND SHIFTING SITUATION IN THE VICINITY OF 8119 TOWN ROAD X (HWY X).

A MOTION TO ADJOURN WAS MADE BY COTTINGHAM, SECONDED BY SHERRY. MEETING ADJOURNED AT 5:15 PM.